

Testimony in support of the passage of:

HB 5511 AN ACT CONCERNING THE BUDGET, SPECIAL ASSESMENTS AND ASSIGNMENT OF FUTURE INCOME APPROVAL PROCESS IN COMMON INTEREST OWNERSHIP COMMUNITIES

Proposed to the Joint Judiciary Committee

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I would like to take this opportunity to thank the chairman and vice chairman and all the members of the Joint Judiciary for their attention in this matter.

Honored Senators and Representatives of the Connecticut General Assembly, I would like to relate to you the consequence of the latest vote on the Budget of Heritage Village. Heritage Village is a senior community of 2,580 units, the largest in the state. On July of 2011 the Board of Trustees approved the budget and presented it to the unit owners for approval. The ballot was mailed out to unit owners and prepared according to state standards provided. The ballots were accumulated and tabulated by Nanavaety, Nanavaety & Davenport CPA's. The result of that budgetary vote was as follows:

1,786 ballots were cast out of a possible 2,580 eligible, 1,191.961 votes to reject the budget or 67 percent of the Villagers who took the time. 594.419 Villagers voted in favor of accepting the budget or 33 percent of the votes cast. 794 Residents did not vote. This report was published in the Heritage Village biweekly newspaper on October 10th, 2011 and reflects the weighted vote called for in the bylaws of Heritage Village. As a result the budget was approved because under the current law, rejection of a budget requires 50% plus one of the total numbers of unit owners and 1191.961 votes to reject only represented 46.5% of the Total unit owners. This is because under the current law you are voting to reject the budget and the law states that to reject the budget it requires 51% of the total population to reject the budget. The results reflected a weighted vote on the Heritage Village Management Budget.

Under the current law it is so difficult to reject a budget that the Village manager and the administration can ignore the wishes of the unit owners knowing the probability of rejecting a budget is slight. I do not believe that my elected representatives would condone such a system if they foresaw the resulting consequences. Heritage Village is larger than some small towns in Connecticut can you imagine the uproar if a first selectman or representative was declared the victor in an election garnering just 33% of the votes cast and their opponent lost the election with 67 % of the votes cast. I wish to thank you for considering my appeal; I have every confidence that you will see the merit in what I have presented and vote for passage of HB5511 to the general assembly and not let it die in committee.

Sincerely Ronald Conti